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**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

THE UNITED STATES OF AMERICA, )  
Plaintiff, ) 2:16-CR-00335-JCM-CWH  
) (Third Request)  
vs. )  
)  
HAROLD PFRENDER, )  
Defendant. )  
\_\_\_\_\_  
)

Certification: This Stipulation and Order is being timely filed.

## **STIPULATION AND ORDER TO CONTINUE SENTENCING**

IT IS HEREBY STIPULATED by Defendant Harold R. Pfrender, by and through his counsel, LANCE A. MANINGO, ESQ., of Maningo Law, and Plaintiff, United States of America, DAYLE ELIESON, United States Attorney, and DANIEL COWHIG, Assistant United States Attorney, stipulate and request that the Court continue sentencing status hearing, currently scheduled for September 20, 2018, until mid-January 2019, or to a date convenient for the Court.

This Stipulation is entered into for the following reasons:

1. The government's investigation into related criminal activity by others is ongoing;

- 1           2. The defendant's plea agreement includes cooperation provisions. The instant  
2           case is related to *U.S. v. Daniel M. Boyar, et al*, 2:17-cr-21-JCM-GWF,  
3           currently scheduled for trial in September 2018;
- 4           3. Accordingly, in the view of the government and the defendant, this case is not  
5           ripe for sentencing. Defendant Pfrender is not in custody, and specifically  
6           requests this continuance;
- 7           4. Defendant Pfrender waives any right he may have to a speedy sentencing in this  
8           matter;
- 9           5. That denial of this request for a continuance could result in a miscarriage of  
10          Justice;
- 11          6. That this is the third request for a continuance of the sentencing date in this  
12          case.

12          RESPECTFULLY SUBMITTED this 20<sup>th</sup> day of August, 2018.

13          Maningo Law

13          United States of Attorney

15          By: /s/ Lance Maningo  
16          LANCE A. MANINGO, ESQ.  
17          Attorney for Defendant

15          By: /s/ Daniel Cowhig  
16          DANIEL COWHIG  
17          Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE UNITED STATES OF AMERICA, )  
Plaintiff, ) 2:16-CR-00335-JCM-CWH  
) (Third Request)  
vs. )  
)  
HAROLD PFRENDER, )  
)  
Defendant. )  
\_\_\_\_\_ )

## **FINDINGS OF FACTS**

Based upon the pending Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. The government's investigation into related criminal activity by others is ongoing;
  2. The defendant's plea agreement includes cooperation provisions. The instant case is related to *U.S. v. Daniel M. Boyar, et al*, 2:17-cr-21-JCM-GWF, currently scheduled for trial in September 2018;
  3. Accordingly, in the view of the government and the defendant, this case is not ripe for sentencing. Defendant Pfrender is not in custody, and specifically requests this continuance;
  4. Defendant Pfrender waives any right he may have to a speedy sentencing in this matter;
  5. That denial of this request for a continuance could result in a miscarriage of Justice;
  6. That this is the third request for a continuance of the sentencing date in this case.

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## **CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interests of the public and the defendants in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice and would deny the defendant continuous treatment as ordered by United States Pretrial Services. The continuance sought herein is excludable under the Speedy Trial Act, Title 18 United States Code Section 3161(h)(3)(A), and Title 18 United States Code Sections 3161(h)(7)(A), considering the factors under Title 18 United States Code Sections 3161(h)(7)(B)(i) and 3161 (h)(7)(B)(iv).

## ORDER

IT IS THEREFORE ORDERED that sentencing in this matter currently scheduled for September 20, 2018, at 10:30 a.m. be vacated and continued to January 22, 2019 at **10:00 a.m.**, in the above-noted Federal Courthouse.

DATED August 22, 2018.

UNITED STATES DISTRICT COURT JUDGE

20 | Respectfully Submitted By:

 MANINGO LAW  
Est. 2002

By: /s/ Lance Maningo  
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Attorney for Defendant